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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SURGICAL INSTRUMENT SERVICE
COMPANY, INC.,

Plaintiff,

v.

INTUITIVE SURGICAL, INC.,

Defendant.

Case No. 3:21-cv-03496-AMO

**INTUITIVE'S PROPOSED QUESTIONS
FOR THE JURY QUESTIONNAIRE**

Date: November 25, 2024

Time: 11:00 a.m.

Courtroom: 10

The Honorable Araceli Martínez-Olguín

Pursuant to Section VI of the Court's Schedule and Pretrial Order of June 11, 2024, Dkt. 235, Defendant Intuitive Surgical, Inc. hereby submits ten (10) proposed case-specific questions to add to the Northern District of California's standard jury questionnaire.

INTUITIVE'S PROPOSED QUESTIONS FOR THE JURY QUESTIONNAIRE

1. Have you ever worked in manufacturing?
2. Do you have any sentiments from any prior experience as a juror that may impact your ability to be a fair and impartial juror in this case? If yes, please describe.
3. If you, your relatives, or anyone close to you has ever been involved in a lawsuit of any kind either as a plaintiff, defendant, or witness, is there anything about your experience (or theirs) with the legal system in prior matter(s) that may impair your ability to be a fair and impartial juror in this case?
4. In this case, one party is a larger corporate entity than the other. Is there anything about that, on its own, that might create for you a bias towards one party over the other?
5. In this case, there are allegations that the defendant competed unfairly in the market for the sale of a medical device. Is there anything about such allegations that might affect your ability to listen fairly and impartially to the defense that will be offered denying these allegations?
6. Do you believe there should be more government regulation of the medical device industry, less government regulation of the medical device industry, that current government regulation of the medical device industry is adequate, or do you have no opinion?
7. Do you believe it is unfair that there is not universal access to the best, most up-to-date, modern healthcare for everyone in this country?
8. Do you trust the Food and Drug Administration (FDA) to determine whether a medical device can be used safely and effectively? If no, please explain why.
9. Have you or someone close to you ever had difficulty getting access to high quality healthcare for any reason? If yes, please explain.
10. Have you or someone close to you ever had difficulty paying for healthcare?

1 Dated: November 4, 2024

By: /s/ Kenneth A. Gallo
Kenneth A. Gallo

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CERTIFICATE OF SERVICE

On November 4, 2024, I caused a copy of Intuitive's Proposed Questions for the Jury Questionnaire to be electronically served via email on counsel of record for Surgical Instrument Service Company, Inc.

Dated: November 4, 2024

By: /s/ Kenneth A. Gallo
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